IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CRIMINAL APPLICATION NO. 1054 OF 2005
IN
CRIMINAL APPEAL NO.166 OF 2005

Savata Jyotiba Dembalkar .. Applicant

Vs.

The State of Maharashtra .. Respondent

Ms. S.D. Khot, Adv. appointed for the applicant.
Ms. A.S. Pai, APP for State.

CORAM : B. H. MARLAPALLE &
SMT. R.S. DALVI,JJ.

Date : January 10, 2006.

P.C.:

1. Heard Ms. Khot, the learned appointed advocate for the applicant who has been convicted and sentenced by the learned IInd Additional Sessions Judge, Baramati in Sessions Case No.56 of 2001 for the offence punishable under Section 302 of IPC. Against the said order of conviction and sentence Criminal Appeal No.166 of 2005 has been filed but belatedly and hence this application for condonation of delay.

2. As per the office report the delay caused is of 171 days. The applicant states that after the order of conviction and sentence he had applied for a copy of Judgment which reached him in jail in the

month of June 2003 and thus delay has caused for the reasons beyond his control. We are satisfied that the delay caused deserves to be condoned.

3. Hence, the delay is condoned and the application is allowed.

(Smt.R.S. Dalvi,J.) **(B.H. Marlapalle,J.)**